

Unofficial Draft Copy

As of: April 7, 2009 (1:44pm)

LC2361

**** Joint Resolution No. ****

Introduced By *****

By Request of the *****

EXHIBIT 2
DATE 4-7-09
BB LC 2361

A Joint Resolution of the Senate and the House of Representatives
of the State of Montana to study land use laws.

WHEREAS, Many bills in the 2009 Legislature attempted to
tackle perceived land use problems related to zoning procedures,
water quality and quantity, fire fighting, and subdivision
regulations; and

WHEREAS, there are myriad laws related to land use that span
a wide variety of topics including public health, building codes,
transportation, public infrastructure and services, fish and
wildlife, remainders, recreation, and agriculture; and

WHEREAS, land use laws are revised every legislative
session, sometimes with unintended consequences that lead to
frustration for the development community, local governing
bodies, and citizens; and

WHEREAS, balance must be sought between private property
rights and land uses that affect adjoining and nearby property;
and

WHEREAS, land use laws must be crafted to apply statewide,
including areas that experience rapid growth and those that
experience slower growth.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF

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REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to study land use laws.

BE IT FURTHER RESOLVED, that the study take a holistic approach to the relationship of various laws including zoning, public health, water, sanitation, transportation, and building codes.

BE IT FURTHER RESOLVED, that the study consider ways to direct growth toward existing infrastructure, conserve open space and wildlife habitat, and provide incentives for development that reduces financial strain on local governments, conserves natural resources, and preserves agricultural land.

BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2010.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 62nd Legislature.

- END -

{Name : Joe P. Kolman
Title : Research Analyst
Agency: LSD

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